

1620; Nov. 14, 1986, Pub. L. 99-653, §14, 100 Stat. 3657; Oct. 24, 1988, Pub. L. 100-525, §§ 8(l), 9(w), 102 Stat. 2618, 2621.)

#### AMENDMENTS

1988—Subsec. (a)(1). Pub. L. 100-525, §8(l), repealed Pub. L. 99-653, §14. See 1986 Amendment note below.

Subsec. (b). Pub. L. 100-525, §9(w), substituted “Subsection (a)” for “Subsection (a)(1)”.

1986—Subsec. (a)(1). Pub. L. 99-653, §14, which inserted “unmarried and” after “such child is”, was repealed by Pub. L. 100-525, §8(l).

1981—Subsec. (b). Pub. L. 97-116 substituted “an adopted child only if the child” for “a child adopted while under the age of sixteen years who”.

1978—Subsec. (a). Pub. L. 95-417 substituted in pars. (1) and (2) “eighteen years” for “sixteen years”.

Subsec. (b). Pub. L. 95-417 substituted provisions making subsec. (a)(1) of this section applicable to adopted children for provisions making subsec. (a) of this section inapplicable to adopted children.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by section 8(l) of Pub. L. 100-525 effective as if included in the enactment of the Immigration and Nationality Act Amendments of 1986, Pub. L. 99-653, see section 309(b)(15) of Pub. L. 102-232, set out as an Effective and Termination Dates of 1988 Amendments note under section 1101 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-116 effective Dec. 29, 1981, see section 21(a) of Pub. L. 97-116, set out as a note under section 1101 of this title.

#### CROSS REFERENCES

##### Definition of the term—

Alien, see section 1101(a)(3) of this title.

Child, as used in subchapters I and II of this chapter, see section 1101(b)(1) of this title.

Child, as used in this subchapter, see section 1101(c)(1) of this title.

Lawfully admitted for permanent residence, see section 1101(a)(20) of this title.

Naturalization, see section 1101(a)(23) of this title.

Parent, as used in subchapters I and II of this chapter, see section 1101(b)(2) of this title.

Parent, as used in this subchapter, see section 1101(c)(2) of this title.

Residence, see section 1101(a)(33) of this title.

United States, see section 1101(a)(38) of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1101 of this title.

### § 1432. Children born outside United States of alien parents; conditions for automatic citizenship

(a) A child born outside of the United States of alien parents, or of an alien parent and a citizen parent who has subsequently lost citizenship of the United States, becomes a citizen of the United States upon fulfillment of the following conditions:

(1) The naturalization of both parents; or  
(2) The naturalization of the surviving parent if one of the parents is deceased; or

(3) The naturalization of the parent having legal custody of the child when there has been a legal separation of the parents or the naturalization of the mother if the child was born out of wedlock and the paternity of the child has not been established by legitimation; and if

(4) Such naturalization takes place while such child is unmarried and under the age of eighteen years; and

(5) Such child is residing in the United States pursuant to a lawful admission for permanent residence at the time of the naturalization of the parent last naturalized under clause (1) of this subsection, or the parent naturalized under clause (2) or (3) of this subsection, or thereafter begins to reside permanently in the United States while under the age of eighteen years.

(b) Subsection (a) of this section shall apply to an adopted child only if the child is residing in the United States at the time of naturalization of such adoptive parent or parents, in the custody of his adoptive parent or parents, pursuant to a lawful admission for permanent residence.

(June 27, 1952, ch. 477, title III, ch. 2, §321, 66 Stat. 245; Oct. 5, 1978, Pub. L. 95-417, §5, 92 Stat. 918; Dec. 29, 1981, Pub. L. 97-116, §18(m), 95 Stat. 1620; Nov. 14, 1986, Pub. L. 99-653, §15, 100 Stat. 3658; Oct. 24, 1988, Pub. L. 100-525, §8(l), 102 Stat. 2618.)

#### AMENDMENTS

1988—Subsec. (a)(4). Pub. L. 100-525 repealed Pub. L. 99-653, §15. See 1986 Amendment note below.

1986—Subsec. (a)(4). Pub. L. 99-653, §15, which inserted “unmarried and” after “such child is”, was repealed by Pub. L. 100-525.

1981—Subsec. (b). Pub. L. 97-116 substituted “an adopted child only if the child” for “a child adopted while under the age of sixteen years who”.

1978—Subsec. (a). Pub. L. 95-417 substituted in pars. (4) and (5) “eighteen years” for “sixteen years”.

Subsec. (b). Pub. L. 95-417 substituted provisions making subsec. (a) of this section applicable to adopted children for provisions making subsec. (a) of this section inapplicable to adopted children.

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Parent, as used in this subchapter, see section 1101(c)(2) of this title.

Residence, see section 1101(a)(33) of this title.

United States, see section 1101(a)(38) of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1101 of this title.

### § 1433. Child born outside United States; application for certificate of citizenship requirements

#### (a) Application of citizen parents; requirements

A parent who is a citizen of the United States may apply to the Attorney General for a certifi-